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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,345	07/02/2003	Bernd Kronenbitter	3201-339(D4700-00352)	5124

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EXAMINER

HUYNH, KHOA D

ART UNIT PAPER NUMBER

3751

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/613,345

Applicant(s)

KRONENBITTER ET AL.

Examiner

Khoa D. Huynh

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/11/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 10, as presently understood, is rejected under 35 U.S.C. 102(b) as being anticipated by Monch (5630628).

The Monch reference teaches a quick-connect connector (Fig. 2 and Fig. 4) for connecting the end of a line (9) exiting an installation opening (Fig. 1) in a plumbing fixture to the end of a line (7) leading into a plumbing fixture (at 4) through an installation opening (Fig. 1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 8, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oberdorfer (5009247) in view of Monch (5630628).

Regarding claim 1, the Oberdorfer reference discloses a plumbing fixture. The fixture includes a housing (1), an installation opening (the opening where elements 8 and 5 passing through), a line (5) exiting the installation opening, a

line (4) routed through the installation opening in the housing, and a connector (the connecting piece for elements 5 and 4) that connects the ends of the two lines arranged outside the housing.

The Oberdorfer reference DIFFERS in that it does not specifically disclose a quick connector as claimed. Attention, however, is directed to the Monch reference which discloses another plumbing fixture a quick-connect connector (Fig. 2 and Fig. 4) for connecting the end of a line (9) exiting an installation opening (Fig. 1) in a plumbing fixture to the end of a line (7) leading into a plumbing fixture (at 4) through an installation opening (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the Oberdorfer device by employing a quick-connector, in view of the teaching of Monch, in order to conveniently and quickly connect the spray head to the mixer of the faucet.

Regarding claim 2, the Monch reference shows the quick connector is a plug-in connector.

Regarding claim 8, as schematically shown in Figure 1 of Oberdorfer, line 5 is a pipe and line 4 is a hose.

Regarding claims 10 and 11, the modified Oberdorfer reference teaches a quick connector for connecting two lines that are routed through the same installation opening in the housing of the single plumbing fixture.

5. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oberdorfer (5009247) in view of Mericle (4214586).

Regarding claim 1, the Oberdorfer reference discloses a plumbing fixture. The fixture includes a housing (1), an installation opening (the opening where elements 8 and 5 passing through), a line (5) exiting the installation opening, a line (4) routed through the installation opening in the housing, and a connector (the connecting piece for elements 5 and 4) that connects the ends of the two lines arranged outside the housing.

The Oberdorfer reference DIFFERS in that it does not specifically disclose a quick connector as claimed. Attention, however, is directed to the Mericle reference which discloses a quick-connect connector (16) for connecting the ends of two lines together (Fig. 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the Oberdorfer device by employing a quick-connector, in view of the teaching of Mericle, in order to conveniently and quickly connect the spray head to the mixer of the faucet.

Regarding claim 2, the Mericle quick connector (16) can be construed as "plug-in" connector since it allows the ends of the line to be plugged into the housing of the connector.

Regarding claims 3 and 4, the modified Oberdorfer reference also teaches fittings (10 in Fig. 1 of Mericle) connected to the ends of the lines. The fittings are inserted into the quick connector and latched into place there. The ends of the lines are disconnected from the connector without using tools.

Regarding claim 5, as schematically shown in Fig. 4 of Mericle, the detenting and latching of the connector and the fittings are generated by deformation of parts of the connectors.

Regarding claims 6 and 7, the modified Oberdorfer reference also DIFFERS in that it does not specifically disclose that the fittings are soldered or adhesive bonded to the ends of the lines as claimed. It, however, would have been obvious to one of ordinary skill in the art at the time the invention was made to use such attaching method for the ends of the lines and the fittings in order to ensure a secure and fluid-tight structure.

Regarding claim 8, as schematically shown in Figure 1 of Oberdorfer, line 5 is a pipe and line 4 is a hose.

Regarding claim 9, the connector 16 is a single piece and made of a polymeric (plastic) material (col. 4, lines 13-18).

Regarding claims 10 and 11, the modified Oberdorfer reference teaches a quick connector for connecting two lines that are routed through the same installation opening in the housing of the single plumbing fixture.

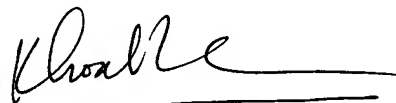
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wagner was cited to show a quick connector for joining the ends of two lines. Sponheimer was cited to show a pull out faucet having a pipe connected to a hose of the pull out spray head.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa D. Huynh whose telephone number is (703) 306-5483. The examiner can normally be reached on M-F (7:00-4:30) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on (703) 308-2580. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khoa D. Huynh
Patent Examiner
Art Unit 3751

HK
10/22/04